

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 0:22-CV-61553-DIMITROULEAS/HUNT

CRUZ VALDIVIESO FIGUERA,

Plaintiff,

vs.

ALL VIP CARE INC. AND LIZ
VELAZQUEZ MCKINNON,

Defendants.

/

**PLAINTIFF'S SECOND¹ AMENDED *NUNC PRO TUNC* MOTION FOR
EXTENSION OF TIME TO FILE MOTION FOR PARTIAL SUMMARY JUDGMENT
AND STATEMENT OF MATERIAL FACTS**

Plaintiff, Cruz Valdivieso Figuera, through her undersigned counsel, requests this Court to grant her an extension of time *nunc pro tunc* to file Plaintiff's Motion for Partial Summary Judgment and Statement of Material Facts based on the following:

1. This Court's scheduling order set a deadline of July 18, 2023 for substantive pretrial motions. [ECF No. 20].
2. Plaintiff filed her Motion for Partial Summary Judgment [ECF No. 61], and corresponding Statement of Material Facts [ECF No. 62] on July 18, 2023.
3. On July 19, 2023, this Court struck the Plaintiff's summary judgment filings because the Statement of Material Facts did not comply with the criteria set forth in the Southern District of Florida's Local Rules. [ECF No. 63].
4. Plaintiff corrected the issues cited in the Order at ECF No. 63, and requests that she be allowed to refile them for this Court's consideration.

¹ Plaintiff asks this Court to disregard the amended motion filed at ECF No. 69, which incorrectly referenced the previously stricken Motion for Partial Summary Judgment and Statement of Material Facts.

CERTIFICATE OF CONFERRAL

Pursuant to S.D. Fla. L.R. 7.1, I hereby certify that Defendant's counsel, Randy Goldberg, objects to the relief requested in this Motion.

Respectfully submitted on July 20, 2023.

/s/Toussaint Cummings, Esq.
Toussaint Cummings, Esq. (119877)
toussaint@fairlawattorney.com
FAIRLAW FIRM
135 San Lorenzo Ave.
Suite 770
Coral Gables, FL 33146
Tel: 305.230.4884
Counsel for Plaintiff